IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 21ST MARCH 2007 / 30TH PHALGUNA 1928

WP(C).No. 34070 of 2004(E)

PETITIONER:

SARASWATHI KUTTY K., PADIPPURAKKAL HOUSE
KOTOPPADAM, MANNARKKAD-678 604.

BY ADV. SRI.ELVIN PETER P.J.,
SRI.T.G.SUNIL (PRANAVAM).

RESPONDENTS:
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1. **THE DEPUTY DIRECTOR OF EDUCATION,**
   PALAKKAD.

2. **THE ASSISTANT EDUCATIONAL OFFICER,**
   MANNARKKAD.

3. **THE HEAD MASTER,**
   A.L.P.S., KOTTOPADAM EAST,
   PALAKKAD DISTRICT.

BY GOVERNMENT PLEADER SRI. MANOJ.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 21/03/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.34070/2004:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE ORDER DTD. 07/03/1991 ISSUED BY THE GOVERNMENT.

EXT.P.2: COPY OF THE ORDER DTD. 05/12/1995 ISSUED BY THE GOVERNMENT.

EXT.P.3: COPY OF THE CIRCULAR DTD. 30/12/1995 ISSUED BY THE GOVERNMENT.

EXT.P.4: COPY OF THE CIRCULAR DTD. 29/12/1994 ISSUED BY THE GOVERNMENT.

EXT.P.5: COPY OF THE OBJECTION RAISED BY THE ACCOUNTANT GENERAL AND FORWARDED BY THE A.E.O DTD. 30/03/2002.

EXT.P.6: COPY OF THE ORDER DTD. 18/03/2004 ISSUED BY THE ACCOUNTANT GENERAL.

EXT.P.7: COPY OF THE ORDER DTD. 12/07/2004 ISSUED BY THE ACCOUNTANT GENERAL.

EXT.P.8: COPY OF THE COMMUNICATION DTD. 16/10/2004 ISSUED BY THE R.2.

//TRUE COPY//

prv.

KURIAN JOSEPH, J.

W.P.(C) NO. 34070 OF 2004

Dated this the 21st day of March, 2007.

J U D G M E N T

The fixation made on the basis of circular (Ext. P4) by the Director of Public Instruction should govern the fate has been settled by several decision of this Court and one such judgment is the judgment dated 31.05.2006 in O.P No. 36634/2001. The impugned orders are quashed. It is declared that the fixation made based on Ext. P4 shall be treated to have been made validly. The benefits, if any, due to the petitioner shall be disbursed to her within a period of three months from the date of production of a copy of this judgment.

This writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

smp